

City of Lafayette Staff Report

For: City Council
By: Niroop K. Srivatsa
Date Written: July 18, 2008
Meeting Date: July 28, 2008
Subject: **GP01-08: Amendments to sections of the Parks, Trails and Recreation Chapter of the Lafayette General Plan**

Purpose

To adopt Resolution 2008-36 approving amendments to the Parks, Trails and Recreation Chapter of the 2002 Lafayette General Plan as described in this staff report.

Amendments

The Parks Trails and Recreation Commission and staff are in the process of adopting a Parks Master Plan. In the course of this exercise, staff reviewed the Parks, Trails and Recreation Chapter of the 2002 General Plan and came across text that was either outdated or inconsistent with current conditions. Staff has batched these changes (listed below) and requests approval of these text amendments to the General Plan.

Item (additions are underlined, deletions are in ~~strike through~~)	Reason for amendment
Page IV-6, Program P-1.3.1: Use the standard of <u>up to five acres</u> of parkland per 1,000 residents for the dedication, acquisition, and improvement of parkland pursuant to the provisions of the Quimby Act. (Government Code §66477).	To more adequate reflect the City's current parkland acres/1000 people
Page IV-4, fifth paragraph: While new development (i.e., subdivisions) will be required to supply parkland <u>at up to</u> this ratio, this cannot address the entire deficit.	To more adequate reflect the City's current parkland acres/1000 people
Page IV-2, third paragraph: <u>Buckeye Fields</u> : This 11.5 acre park has many oak and buckeye trees on the site. The two baseball fields are primarily used by Lafayette Little League during the baseball season pursuant to a lease with the City. A plaza and concession/restroom building are located behind the fields near the road. The meeting building is used by a number of community organizations. The paved parking lot	Park has been renamed and additional facilities have been added since 2002

Item (additions are underlined, deletions are in strike through)	Reason for amendment
provides year around use. ~~711 St. Mary's Road Park: The 711 St. Mary's Road Park is used primarily for baseball and has been improved extensively by Little League to include bleachers, batting cages, a snack shack, improved drainage, and refurbished playing surfaces. This park is leased to the Lafayette Little League, which maintains the baseball fields. In addition, the park contains a small building used as a public meeting room.~~	
Page IV, Community Parks, add: <u>Murray Lane Park Land. This 2.18 acre site is adjacent to the Lafayette Community Park and provides an important trail connection. The property contains a heritage oak on the southern end. There are plans to install a meandering crushed rock pathway, benches and landscaping.</u>	New park added after 2002
Page IV-3, Table 1: Amend table to add the Murray Lane Park Land to the list of Parks and Recreation Facilities, change the name of the 711 park and update the acreages.	New park added after 2002; updates to Buckeye Fields Park
Page IV-5, Policy 1.1: Add to the italicized text that the Trails Master Plan was updated in 2006.	To reflect the recent update of the trails master plan

CEQA

This application is exempt from CEQA per Regulation 15273(a)(4); which states that CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of obtaining funds for capital projects, necessary to maintain service within existing service areas. The environmental analysis for the Master Trails Plan included the Murray Lane Park. Environmental analysis was conducted before improvements were made to the Buckeye Fields Park.

PLANNING COMMISSION RECOMMENDATION

On July 3rd, the Planning Commission conducted a public hearing on the matter and by a vote of 6-0 with Commissioner Chastain absent, recommended approval of the application to the City Council.

REQUIRED FINDINGS

§6-213 Findings for a General Plan Amendment

1. The change proposed is consistent with the General Plan and each of its elements
2. Community need is demonstrated for the change proposed

This General Plan amendment is being proposed to rectify text in the Parks, Trails and Recreation Chapter that is either outdated or inconsistent with current conditions. The changes proposed are consistent with the General Plan and each of its elements.

Recommendation

Adopt Resolution 2008-36 approving amendments to the Parks, Trails and Recreation Chapter of the 2002 Lafayette General Plan.

Attachments: City Council Resolution 2008-36, Planning Commission Resolution 2008-16, draft minutes of the July 3, 2008 Planning Commission meeting

City Council Resolution 2008-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE APPROVING THE FOLLOWING AMENDMENTS TO THE GENERAL PLAN:

GP01-08: Amendments to the Parks, Trails and Recreation Chapter of the Lafayette General Plan as follows (additions are underlined, deletions are in ~~strike-through~~)

- i. Page IV-6, Implementation Program P-1.3.1: Use the standard of up to five acres of parkland per 1,000 residents for the dedication, acquisition, and improvement of parkland pursuant to the provisions of the Quimby Act. (Government Code §66477).
- ii. Page IV-4, fifth paragraph: While new development (i.e., subdivisions) will be required to supply parkland at up to this ratio, this cannot address the entire deficit.
- iii. Page IV-2, third paragraph: Buckeye Fields: This 11.5 acre park has many oak and buckeye trees on the site. The two baseball fields are primarily used by Lafayette Little League during the baseball season pursuant to a lease with the City. A plaza and concession/restroom building are located behind the fields near the road. The meeting building is used by a number of community organizations. The paved parking lot provides year around use. ~~711 St. Mary's Road Park: The 711 St. Mary's Road Park is used primarily for baseball and has been improved extensively by Little League to include bleachers, batting cages, a snack shack, improved drainage, and refurbished playing surfaces. This park is leased to the Lafayette Little League, which maintains the baseball fields. In addition, the park contains a small building used as a public meeting room.~~
- iv. Page IV, Community Parks, add: Murray Lane Park Land. This 2.18 acre site is adjacent to the Lafayette Community Park and provides an important trail connection. The property contains a heritage oak on the southern end. There are plans to install a meandering crushed rock pathway, benches and landscaping.
- v. Page IV-3, Table 1: Amend table to add the Murray Lane Park Land to the list of Parks and Recreation Facilities, change the name of the 711 park and update the acreages.
- vi. Page IV-5, Policy 1.1: Add to the italicized text that the Trails Master Plan was updated in 2006.

RECITALS

- A. In 2005, the Parks, Trails and Recreation Commission members and staff initiated a study to adopt a Parks Master Plan for the City of Lafayette. In the course of this study, staff reviewed the Parks, Trails and Recreation Chapter of the 2002 General Plan and identified text that was either outdated or inconsistent with current conditions. Staff prepared a list of changes to the Parks, Trails and Recreation Chapter of the General Plan and processed an application for a General Plan amendment.
- B. On July 3, 2008, the Planning Commission considered the request for a General Plan amendment at a duly noticed public hearing, where it received written and oral staff reports and testimony from City staff and public as well as this resolution recommending approval of the General Plan amendment. All members of the Commission with the exception of Commissioner Chastain who was absent that evening voted to recommend approval of these amendments to the General Plan.
- C. On July 28, 2008, the City Council considered the request for a General Plan amendment at a duly noticed public hearing, where it received written and oral staff reports and testimony from City staff and public as well as this resolution approving the General Plan amendment.

NOW, THEREFORE, the City Council of the City of Lafayette, California finds and determines as follows:

1. All the facts contained in the staff reports written for the Planning Commission and City Council meetings are hereby adopted as the City Council's own findings of fact and incorporated into this resolution by reference.
2. The required findings for the requested permits have been evaluated by the City Council as follows:

REQUIRED FINDINGS

§6-213 Findings for a General Plan Amendment & Zone Change

A. The change proposed is consistent with the General Plan and each of its elements.

B. Community need is demonstrated for the change proposed.

This General Plan amendment is being proposed to rectify text in the Parks, Trails and Recreation Chapter that is either outdated or inconsistent with current conditions. The changes proposed are consistent with the General Plan and each of its elements.

3. Based on the review of the application and public testimony and the Planning Commission recommendation, the City Council hereby approves the requested General Plan amendment.
4. This resolution becomes effective upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Lafayette at a meeting held on July 28, 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Mike Anderson
Mayor

Joanne Robbins
City Clerk

Planning Commission Resolution 2008-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAFAYETTE
FORWARDING TO THE CITY COUNCIL FINDINGS AND A RECOMMENDATION ON:

GP01-08: Amendments to the Parks, Trails and Recreation Chapter of the Lafayette General Plan as follows (additions are underlined, deletions are in ~~strike-through~~)

- i. Page IV-6, Implementation Program P-1.3.1: Use the standard of up to five acres of parkland per 1,000 residents for the dedication, acquisition, and improvement of parkland pursuant to the provisions of the Quimby Act. (Government Code §66477).
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- v. Page IV-3, Table 1: Amend table to add the Murray Lane Park Land to the list of Parks and Recreation Facilities, change the name of the 711 park and update the acreages.
- vi. Page IV-5, Policy 1.1: Add to the italicized text that the Trails Master Plan was updated in 2006.

RECITALS

- A. In 2005, the Parks, Trails and Recreation Commission members and staff initiated a study to adopt a Parks Master Plan for the City of Lafayette. In the course of this study, staff reviewed the Parks, Trails and Recreation Chapter of the 2002 General Plan and came across text that was either outdated or inconsistent with current conditions. Staff prepared a list of changes to the Parks, Trails and Recreation Chapter of the General Plan and processed an application for a General Plan amendment.
- B. On July 3, 2008, the Planning Commission, considered the request for a General Plan amendment at a duly noticed public hearing, where it received written and oral staff reports and testimony from City staff and public as well as this resolution recommending approval of the General Plan amendment.

NOW, THEREFORE, the Planning Commission of the City of Lafayette, California finds and determines as follows:

1. All the facts contained in the staff reports written for the Planning Commission meeting are hereby adopted as the Planning Commission's own findings of fact and incorporated into this resolution by reference.
2. The required findings for the requested permits have been evaluated by the Planning Commission as follows:

REQUIRED FINDINGS

§6-213 Findings for a General Plan Amendment & Zone Change

A. The change proposed is consistent with the General Plan and each of its elements.

B. Community need is demonstrated for the change proposed.

This General Plan amendment is being proposed to rectify text in the Parks, Trails and Recreation Chapter that is either outdated or inconsistent with current conditions. The changes proposed are consistent with the General Plan and each of its elements.

3. Based on the review of the application and public testimony, the Planning Commission recommends that the City Council approve the requested General Plan amendment.
4. This resolution becomes effective upon its adoption.

PASSED AND ADOPTED by the Planning Commission of the City of Lafayette at a meeting held on July 3, 2008 by the following vote:

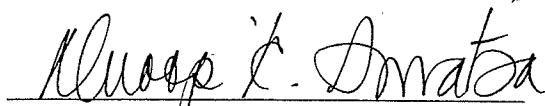
AYES: Ateljevich, Curtin-Tinley, Humann, Holt, Lovitt, Mitchell

NOES: None

ABSENT: Chastain

ABSTAIN: None

ATTEST:



Niroop Srivatsa
Planning & Building Services Manager



Mark Mitchell
Planning Commission Chair

1 Commissioner Curtin-Tinley asked how long will it be between building permit and occupancy.

2 Ms. Srivatsa stated that the owner participation agreement says 18 months between start to end of
3 construction for each phase, but it is an estimate.

4 Commissioner Curtin-Tinley asked how much the development fees total per unit.

5 Ms. Srivatsa stated the average parkland dedication fee is about \$6,000, the regional traffic mitigation fees
6 are about the same or lower, and the walkways fee is \$50 per unit.

7 Chair Mitchell noted that there are three types of fees. He asked if the City received the money would it be
8 used sooner. He asked if there is there a time value that the City would be losing by deferring the collection
9 of fees.

10 Ms. Srivatsa agreed that there is the time value of money. She stated that the traffic fee goes into a
11 common pot and it is used to fund Lamorinda projects. She said there is a slim chance that a project may
12 be deferred because of funds being received late but given the cost of a capital improvement project or a
13 park improvement project, The Woodbury's contribution is a small amount compared to what those projects
14 cost.

15 Chair Mitchell noted that if the project doesn't go to occupancy and the applicant comes in for revisions
16 there could be a substantial time before the City receives the funds.

17 Ms. Srivatsa agreed with Chair Mitchell's statement noting that fees would not be collected until occupancy
18 however the fees will be paid prior to the impact being made.

19 John Frasier stated he works for Branagh Development and is the project manager for the Woodbury. He
20 said the financial market has changed dramatically and the underwriting criteria has changed regarding the
21 equity required to do a project. He said the applicant already has \$10 million invested and the lenders would
22 like to see more money invested. He noted the cost of that would put a severe strain on the project's
23 viability. He said he is looking for ways to defer upfront costs. He said this deferral of payment is important
24 to the project and the fees will be paid before people use the property. He noted that the project will include
25 significant improvements for public benefit.

26 Chair Mitchell asked if the fees amounted to about one million dollars.

27 Mr. Frasier stated he has totaled \$350,000 for parkland fees and \$222,000 for regional mitigation fees.

28 Ms. Srivatsa noted it is now a 65-unit project.

29 There was no public comment.

30 Chair Mitchell close the public portion of the hearing

31 Commissioner Humann made a motion to recommend approval to City Council, seconded by
32 Commissioner Ateljevich, which carried (6-0-0)

33 **GP01-08: AMENDMENTS TO THE PARKS, TRAILS AND RECREATION CHAPTER OF THE**
34 **LAFAYETTE GENERAL PLAN:**
35 **Recommendation:** Adopt Resolution 2008-16 recommending approval to the City Council of amendments
36 to the Parks, Trails and Recreation Chapter of the 2002 Lafayette General Plan
37 **Project Planner:** Niroop Srivatsa, Tel (925) 299-3206, nsrivatsa@lovelafayette.org

38 Ms. Srivatsa stated that the Parks, Trails, and Recreation Commission and staff are recommending some
39 changes to the Parks chapter of the General Plan to correct inconsistencies in the text and update the text to
40 recognize some of the newer parks in town.

41 Chair Mitchell opened the public hearing and seeing no public comment closed the public portion of the
42 hearing.

DRAFT

Commissioner Ateljevich moved to adopt the resolution recommending approval of the changes to the Council, seconded by Vice Chair Lovitt, which carried (6-0-0).

OTHER BUSINESS

Discuss the purpose of the Planning Commission liaison at Design Review Commission meetings

Commissioner Holt stated that Planning Commission needs to discuss if there is any value to attend the Design Review Commission meetings. He suggested looking at it from a Design Review Commissioner's perspective who sees a Planning Commissioner who has no vote expressing his opinion. He said he does have a problem sitting there when 95 percent of the time he has very little to say. He noted that the Commissioners attend many meetings and he would like to discuss how much value there is in continuing the Design Review Liaison position.

Chair Mitchell asked if staff has received any feedback from Design Review Commission.

Commissioner Ateljevich gave some background stating that the role has changed dramatically. She said Design Review Commission started out as a much smaller Commission than it is now. She said Design Review Commission was formed out of a subcommittee of the Planning Commission. She thinks that Design Review Commission appreciates the input. She said the liaison probably has become much less necessary. She indicated it is important to attend the meeting when there are items that the Planning Commission will see eventually. She said some of the necessity for Planning Commission to be at Design Review Commission has been resolved by the two step process for hillside homes. The details of design are of much less interest to the Planning Commission. She suggested reading through the packet and deciding if it is appropriate to go.

Commissioner Holt said in the last five years there has been great increase in staff expertise as with the Commissioners. He said he is uncomfortable leaving it up to the Commissioners. He thinks a liaison should be there or they should not.

Vice Chair Lovitt stated that he thinks individual Commissioners can make judgments about whether it is appropriate to attend the meeting.

Commissioner Holt asked if Commissioner Lovitt feels like he is helpful at the meetings.

Commissioner Lovitt stated that he gives applicants his best guess as to what the Planning Commission will say. He has made appeals to applicants and they are usually ignored; however the one time it worked and the applicant changed the proposal based on his comments another Commissioner thought it was the wrong direction. He suggested still scheduling meetings but making judgments about whether to go or not. He said it is only three and 1/2 meetings a year; however it would get burdensome if it were only two or three Commissioners doing it because the frequency would increase. He noted that the Design Review Commission members understand the ordinances very well.

Commissioner Ateljevich has no objection to those who don't want to go.

Commissioner Holt thought the Commission should either go or not.

Commissioner Ateljevich said she would hate to see the Planning Commission drop the responsibility.

Commissioner Lovitt suggested the schedule still be made and if after looking through the agenda there is no need for a Planning Commissioner then the Design Review Commission Chair should be informed.

Commissioner Curtin-Tinley said she has only been to the Design Review Commission meetings twice, but she does not feel comfortable attending the meetings. She feels like that Commission has a different role than her role as a Planning Commissioner. She felt like she was looking over their shoulders and she had nothing to offer. She also noted that she may not have offered anything anyway because she is one Planning Commissioner and she cannot make a decision alone. She suggested leaving the Design Review Commission to do what they were appointed to do because she does not have that expertise.